

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BRENDAN McGUINNESS,

CIVIL ACTION NO. 05-11738-EFH

Plaintiff,

v.

JAMES R. BENDER,  
LOIS RUSSO,  
MICHAEL D. FARLEY,  
JASON J. OLIVER,  
DAVID M. SHAW,  
JUAN MEZA,  
JOHN A. BELAIR, and  
JOHN A. FLOWERS,

Defendants.

DEFENDANTS' CROSS-MOTION FOR FOR PARTIAL SUMMARY JUDGMENT ON  
COUNT SIX OF THE AMENDED COMPLAINT

For the reasons set forth in the accompanying memorandum of law, the defendants cross-move that partial summary judgment enter in their favor on count six of the amended complaint, as provided by Fed.R.Civ.P. 56.

Dated: September 5, 2006

Respectfully submitted,

NANCY ANKERS WHITE  
Special Asst. Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that this cross-motion filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on September 5, 2006.

Dated: September 5, 2006

/s/ William D. Saltzman

William D. Saltzman